General Assembly

Distr.: General
7 February 2014

Sixty-eighth session
Agenda item 65 (*a*)

Resolution adopted by the General Assembly on 18 December 2013

[*on the report of the Third Committee (A/68/452 and Corr.1)*]

68/147. Rights of the child

The General Assembly,

Reaffirming all its previous resolutions on the rights of the child in their entirety, the most recent of which is resolution 67/152 of 20 December 2012,

Emphasizing that the Convention on the Rights of the Child[1] constitutes the standard in the promotion and protection of the rights of the child, reaffirming that States parties to the Convention shall undertake all appropriate legislative, administrative and other measures for the implementation of the rights recognized therein, while bearing in mind the importance of the Optional Protocols to the Convention, [2] and calling for their universal ratification and effective implementation, as well as that of other human rights instruments,

Recalling the International Covenant on Civil and Political Rights, [3] the International Covenant on Economic, Social and Cultural Rights,[3] the Convention on the Rights of Persons with Disabilities,[4] the International Convention for the Protection of All Persons from Enforced Disappearance, [5] the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[6] the United Nations Convention against Transnational Organized Crime[7] and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[8] and the Convention on the Elimination of all Forms of Discrimination against Women,[9]

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[1] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[2] Ibid., vols. 2171 and 2173, No. 27531; and resolution 66/138, annex.

[3] See resolution 2200 A (XXI), annex.

[4] United Nations, *Treaty Series*, vol. 2515, No. 44910.

[5] Resolution 61/177, annex.

[6] United Nations, *Treaty Series*, vol. 2220, No. 39481.

[7] Ibid., vol. 2225, No. 39574.

[8] Ibid., vol. 2237, No. 39574.

[9] Ibid., vol. 1249, No. 20378.

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Reaffirming that the general principles of the Convention on the Rights of the Child, including the best interests of the child, non-discrimination, participation and survival and development, provide the framework for all actions concerning children,

Recalling the United Nations Declaration on the Rights of Indigenous Peoples[10] of 2007, as well as its resolution 65/198 of 21 December 2010 on indigenous issues, in which it was decided to hold a high-level meeting in 2014, to be known as the World Conference on Indigenous Peoples,

Reaffirming the Vienna Declaration and Programme of Action,[11] the United Nations Millennium Declaration[12] and the outcome document of the twenty-seventh special session of the General Assembly on children, entitled "A world fit for children",[13] and recalling the Copenhagen Declaration on Social Development and the Programme of Action of the World Summit for Social Development,[14] the Dakar Framework for Action adopted at the World Education Forum,[15] the Declaration on Social Progress and Development,[16] the Universal Declaration on the Eradication of Hunger and Malnutrition,[17] the Declaration on the Right to Development[18] and the Declaration of the commemorative high-level plenary meeting devoted to the follow-up to the outcome of the special session on children, held in New York from 11 to 13 December 2007,[19] the outcome document of the high-level plenary meeting of the General Assembly on the Millennium Development Goals, held in New York from 20 to 22 September 2010,[20] the outcome document, entitled "The future we want", adopted at the United Nations Conference on Sustainable Development, held in Rio de Janeiro, Brazil, from 20 to 22 June 2012,[21] and the outcome document of the third Global Conference on Child Labour, held in Brasilia from 8 to 10 October 2013, and recalling the World Congresses against Sexual Exploitation of Children and Adolescents, held in Stockholm from 27 to 31 August 1996, in Yokohama, Japan, from 17 to 20 December 2001 and in Rio de Janeiro from 25 to 28 November 2008,

Taking note with appreciation of the reports of the Secretary-General on progress made towards achieving the commitments set out in the outcome document of the twenty-seventh special session of the General Assembly[22] and on the status of the Convention on the Rights of the Child and the issues addressed in Assembly resolution 67/152,[23] as well as the report of the Special Representative of the

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[10] Resolution 61/295, annex.

[11] A/CONF.157/24 (Part I), chap. III.

[12] Resolution 55/2.

[13] Resolution S-27/2, annex.

[14] *Report of the World Summit for Social Development, Copenhagen, 6–12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

[15] See United Nations Educational, Scientific and Cultural Organization, *Final Report of the World Education Forum, Dakar, Senegal, 26–28 April 2000* (Paris, 2000).

[16] See resolution 2542 (XXIV).

[17] *Report of the World Food Conference, Rome, 5–16 November 1974* (United Nations publication, Sales No. E.75.II.A.3), chap. I.

[18] Resolution 41/128, annex.

[19] Resolution 62/88.

[20] Resolution 65/1.

[21] Resolution 66/288, annex.

[22] A/68/269.

[23] A/68/257.

Secretary-General on Violence against Children[24] and the report of the Special Representative of the Secretary-General for Children and Armed Conflict,[25] whose recommendations should be carefully studied, taking fully into account the views of Member States,

Acknowledging the important role played by national governmental structures for children, including, where they exist, ministries and institutions in charge of child, family and youth issues and independent ombudspersons for children or other national institutions for the promotion and protection of the rights of the child,

Recognizing that the family has the primary responsibility for the nurturing and protection of children, in the best interests of the child, and that children, for the full and harmonious development of their personality, should grow up in a family environment and in an atmosphere of happiness, love and understanding,

Noting with appreciation the work to promote and protect the rights of the child carried out by all relevant organs, bodies, entities and organizations of the United Nations system, within their respective mandates, by relevant mandate holders and special procedures of the United Nations and by relevant regional organizations, where appropriate, and intergovernmental organizations, and recognizing the valuable role of civil society, including non-governmental organizations,

Profoundly concerned that the situation of children in many parts of the world remains negatively affected by the world financial and economic crisis, and reaffirming that eradicating poverty continues to be the greatest global challenge facing the world today, recognizing its impact beyond the socioeconomic context,

Profoundly concerned also that the situation of children in many parts of the world remains critical, in an increasingly globalized environment, as a result of the persistence of poverty, social inequality, inadequate social and economic conditions, pandemics, in particular HIV/AIDS, malaria and tuberculosis, non-communicable diseases, lack of access to safe drinking water and sanitation, environmental damage, climate change, natural disasters, armed conflict, foreign occupation, displacement, violence, terrorism, abuse, trafficking in children and their organs, all forms of exploitation, commercial sexual exploitation of children, child prostitution, child pornography and child sex tourism, neglect, illiteracy, hunger, intolerance, discrimination, racism, xenophobia, gender inequality, disability and inadequate legal protection, and convinced that urgent and effective national and international action is called for,

Expressing deep concern that, despite the recognition of the right of the child to express his or her views freely on all matters affecting him or her, and bearing in mind their evolving capacities, children are still seldom seriously consulted and involved in such matters owing to a variety of constraints and impediments and that the full implementation of this right in many parts of the world has yet to be fully realized,

[24] A/68/274.

[25] A/68/267.

I

Implementation of the Convention on the Rights of the Child and the Optional Protocols thereto

1. *Reaffirms* that the general principles of, inter alia, the best interests of the child, non-discrimination, participation and survival and development provide the framework for all actions concerning children;

2. *Urges* States that have not yet done so to become parties to the Convention on the Rights of the Child,[1] the Optional Protocol thereto on the sale of children, child prostitution and child pornography[26] and the Optional Protocol thereto on the involvement of children in armed conflict[27] as a matter of priority and to implement them fully by, inter alia, putting in place effective national legislation, policies and action plans, strengthening relevant governmental structures for children, including, where appropriate, by establishing ministries and/or departments in charge of child and youth issues and independent ombudspersons for children or other institutions for the promotion and protection of the rights of the child and ensuring adequate and systematic training in the rights of the child for all those working with and for children, as well as ensuring child rights education for children themselves;

3. *Welcomes* in this regard the efforts of the Secretary-General to promote the universal ratification of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and the Optional Protocol on the involvement of children in armed conflict;

4. *Also welcomes* the report of the Secretary-General on the status of the Convention on the Rights of the Child[23] and his reports on the implementation of the priority themes addressed in the resolutions on the rights of the child adopted by the General Assembly at its sixty-first to sixty-fifth sessions,[28] and in this regard welcomes the progress achieved, recognizes the challenges that remain and calls upon States to further intensify the implementation of the Convention;

5. *Urges* States parties to withdraw reservations that are incompatible with the object and purpose of the Convention or the Optional Protocols thereto and to consider reviewing regularly other reservations with a view to withdrawing them, in accordance with the Vienna Declaration and Programme of Action;[11]

6. *Encourages* States that have not yet done so to become parties to the Optional Protocol to the Convention on the Rights of the Child on a communications procedure,[29] and calls upon States parties to implement it;

7. *Welcomes* the work of the Committee on the Rights of the Child, taking into account the adoption of its general comments, and its actions to follow up on its concluding observations and recommendations, and calls upon all States to strengthen their cooperation with the Committee, to comply in a timely manner with their reporting obligations under the Convention and the Optional Protocols thereto, in accordance with the guidelines elaborated by the Committee, and to take into account its recommendations, observations and general comments on the implementation of the Convention;

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[26] United Nations, *Treaty Series*, vol. 2171, No. 27531.

[27] Ibid., vol. 2173, No. 27531.

[28] Resolutions 61/146, 62/141, 63/241, 64/146 and 65/197.

[29] Resolution 66/138, annex.

8. *Requests* all relevant organs and mechanisms of the United Nations system to systematically incorporate a strong child rights perspective throughout all activities in the fulfilment of their mandates, as well as to ensure that their staff are trained in child rights matters, and calls upon States to continue to cooperate closely with all those organs and mechanisms;

9. *Encourages* States to strengthen their national statistical capacities and to use statistics disaggregated, inter alia, by age, sex and other relevant factors to enable the identification of discrimination and/or disparities and other statistical indicators at the national, subregional, regional and international levels so as to develop and assess social policies and programmes for the full realization of the rights of the child;

10. *Expresses its concern* that children with disabilities, particularly girls, are often at greater risk, both within and outside the home, of physical or mental violence, injury or abuse, neglect or negligent treatment and maltreatment, including sexual abuse;

II

Promotion and protection of the rights of the child and non-discrimination against children

Non-discrimination

11. *Calls upon* all States:

(*a*) To ensure the enjoyment by all children of all their civil, political, cultural, economic and social rights without discrimination of any kind;

(*b*) To incorporate special measures in formal and non-formal education and other programmes to combat racism, racial discrimination, xenophobia and related intolerance affecting children;

(*c*) To take all necessary and effective measures to prevent and eliminate all forms of discrimination against girls and all forms of violence, including female infanticide and prenatal sex selection, rape, sexual abuse and harmful traditional or customary practices, including female genital mutilation, child, early and forced marriage and forced sterilization, by enacting and enforcing legislation and, where appropriate, by formulating comprehensive, multidisciplinary and coordinated national plans, programmes or strategies to protect girls, as well as by promoting awareness-raising and social mobilization initiatives for the protection of their rights;

(*d*) To ensure the full enjoyment of all human rights and fundamental freedoms by children with disabilities on an equal basis with other children, inter alia, by integrating the rights of children with disabilities into policies and programmes affecting children, including their rights to education, to the highest attainable standard of physical and mental health, including sexual and reproductive health, and to protection from violence, abuse and neglect; to develop and enforce legislation aiming at their maximum inclusion in society, without discrimination, taking into account that children with disabilities may be subject to multiple or aggravated forms of discrimination and segregation; and to take into account the conclusions included in the outcome document of the high-level meeting of the General Assembly on the realization of the Millennium Development Goals and

other internationally agreed development goals for persons with disabilities, held on 23 September 2013;[30]

12. *Urges* all States to respect and promote the right of girls and boys to express themselves freely, and their right to be heard, to ensure that their views are given due weight, in accordance with their age and maturity, in all matters affecting them and to involve children, including children with special needs, in decision-making processes, taking into account the evolving capacities of children and the importance of involving children's organizations and child-led initiatives;

13. *Also urges* all States, in particular, to establish and strengthen mechanisms for the effective participation of children in planning, implementation, monitoring and evaluation relating to matters that affect them, such as health, the environment, education, social and economic welfare, protection against violence, abuse and exploitation, and disaster response;

14. *Calls upon* States that find themselves in situations of economic crisis to refrain from adopting retrogressive measures that have a negative impact on the rights of the child, and also calls upon States to meet core obligations on the rights of the child under the Convention on the Rights of the Child as a matter of priority, while fully using maximum available resources;

Registration, family relations, adoption and alternative care

15. *Once again urges* all States parties to intensify their efforts to comply with their obligations under the Convention on the Rights of the Child to preserve the child's identity, including nationality, name and family relations, as recognized by law, reminding States of their obligation to register the birth of all children without discrimination of any kind including late birth registration, and to ensure that registration procedures are universal, accessible, simple, expeditious and effective and provided at minimal or no cost;

16. *Recalls* the adoption of the Guidelines for the Alternative Care of Children,[31] and encourages States to take the Guidelines into account when adopting, enforcing, improving or implementing policies and programmes to protect children growing up without parents or caregivers, recognizing that efforts should be directed primarily to enabling the child to remain in or return to the care of his or her parents or, when appropriate, other close family members and that, where alternative care is necessary, family- and community-based care should be promoted over placement in institutions;

17. *Calls upon* States to guarantee, to the extent consistent with the obligations of each State, the right of a child whose parents reside in different States to maintain, on a regular basis, save in exceptional circumstances, personal relations and direct contact with both parents by providing enforceable means of access and visitation in both States and by respecting the principle that both parents have common responsibilities for the upbringing and development of their children;

18. *Also calls upon* States to address and pay particular attention to cases of international parental or familial child abduction, and encourages States to engage in multilateral and bilateral cooperation to resolve those cases, preferably by accession to or ratification of the Hague Convention on the Civil Aspects of

[30] Resolution 68/3.

[31] Resolution 64/142, annex.

International Child Abduction,[32] and to comply fully with the Convention, and to facilitate, inter alia, the return of the child to the country in which he or she resided immediately before the removal or retention;

19. *Further calls upon* States to take all necessary measures to prevent and combat illegal adoptions and all adoptions that are not in the best interests of the child;

Economic and social well-being of children

20. *Calls upon* States and the international community to create a safe and enabling environment in which the well-being of the child is ensured, including by strengthening international cooperation in this field, while reaffirming that the primary responsibility rests with each individual State;

Eradication of poverty

21. *Calls upon* all States and the international community to cooperate, support and participate in the global efforts for poverty eradication, to mobilize all necessary resources and support in that regard, according to national plans and strategies, including through an integrated and multifaceted approach based on the rights and well-being of children, and to accelerate their efforts to realize the internationally agreed development and poverty eradication goals, including the Millennium Development Goals, within their time framework, and reaffirms that investments in children and the realization of their rights are among the most effective ways to eradicate poverty;

22. *Strongly recommends* that the promotion and protection of the rights and well-being of children be well reflected in the elaboration of the post-2015 development agenda;

Right to education

23. *Recognizes* the right to education on the basis of equal opportunity and non-discrimination by making primary education compulsory, inclusive and available free to all children, ensuring that all children have equal access to education of good quality, making secondary education generally available and accessible to all, in particular through the progressive introduction of free education, bearing in mind that special measures to ensure equal access, including affirmative action, contribute to achieving equal opportunity and combating exclusion, and ensuring school attendance, in particular for girls, children with disabilities and children living in poverty;

24. *Urges* Member States to implement strategies for the realization of the right to education, including in humanitarian emergencies, as an integral element in the context of humanitarian protection and assistance, with the support of the international community, the United Nations system, donors, multilateral agencies, the private sector, civil society and non-governmental organizations;

[32] United Nations, *Treaty Series*, vol. 1343, No. 22514.

Right to the enjoyment of the highest attainable standard of health

25. *Calls upon* States:

(*a*) To take all necessary measures to ensure that the right of the child to the enjoyment of the highest attainable standard of physical and mental health is promoted and protected, without any kind of discrimination, and that all forms of violence, which have a negative impact on the physical and mental health of the child, are prevented and addressed, including through the enactment and implementation of laws, strategies and policies, gender- and child-responsive budgeting and resource allocation, and adequate investment in health systems, including comprehensive and integrated primary health care, including in efforts to achieve Millennium Development Goals 4 and 5, and in the health workforce;

(*b*) To adopt strategies to prevent and address the harmful use of alcohol and illicit substances with a holistic and human rights perspective, and to provide information, education and counselling on the effects of substance abuse and on the importance of family and school support for its prevention and the treatment, rehabilitation and reintegration of children and adolescents with substance abuse issues;

(*c*) To ensure that the right to the highest attainable standard of physical and mental health, including sexual and reproductive health, is fully realized for all children by giving full attention to all health needs of children, through providing information, health-care services and comprehensive, evidence-based education on sexual and reproductive health, human rights and gender equality, consistent with their evolving capacities and with appropriate direction and guidance from parents or legal guardians, in accordance with the rights, needs and best interests of the child, free of discrimination and on an equitable and universal basis;

26. *Recognizes* the importance of the implementation of the human right to safe drinking water and sanitation for the full realization of the right of the child to the enjoyment of the highest attainable standard of physical and mental health, and therefore urges States and, through them, service providers to ensure a regular supply of safe, acceptable, accessible and affordable drinking water and sanitation services of good quality and sufficient quantity, guided also by the principles of equity, equality and non-discrimination, bearing in mind that the human right to safe drinking water and sanitation for their populations is to be progressively realized with full respect for national sovereignty;

27. *Affirms* the importance of applying a human rights-based approach to reducing and eliminating preventable maternal and child mortality and morbidity, and requests all States to renew their political commitment in that respect at all levels;

28. *Calls upon* States and all relevant stakeholders to address, as a matter of priority, the vulnerabilities faced by children affected by and living with HIV by providing care, support and treatment to those children, their families and caregivers by promoting rights-based and child-oriented HIV and AIDS policies and programmes, and to ensure access to affordable, effective and quality prevention, care and treatment, including through correct information, access to voluntary and confidential testing, comprehensive health care, including sexual and reproductive health care, services and education, and access to safe, affordable, effective, quality pharmaceutical products and medical technologies, by intensifying efforts to develop affordable, accessible and quality tools for early diagnosis and by prioritizing the prevention of mother-to-child transmission of the virus;

Right to food

29. *Calls upon* all States to take action to ensure the full realization of the right to food for all and to eliminate child hunger and malnutrition, including through the adoption or strengthening of national programmes to address food security and nutrition and adequate livelihoods, especially regarding vitamin A, iron and iodine deficiencies, the promotion of breastfeeding and a nutritious diet, as well as programmes, for example, school meal programmes, that should ensure adequate nutrition for all children, in order to enable all children to fully develop and maintain their physical and mental capacities;

Child labour

30. *Calls upon* all States to translate into concrete action their commitment to the progressive and effective eradication of child labour that is likely to be hazardous, to interfere with the child's education or to be harmful to the child's health or physical, mental, spiritual, moral or social development, to eliminate immediately the worst forms of child labour, to promote education as a key strategy in this regard, including the creation of vocational training and apprenticeship programmes and the integration of working children into the formal education system, and to examine and devise economic policies, where necessary, in cooperation with the international community and the private sector, that address factors contributing to these forms of child labour;

31. *Also calls upon* all States to take into account the report on child labour of the International Labour Organization, entitled "Economic vulnerability, social protection and the fight against child labour",[33] urges all States that have not yet ratified the Convention concerning the Minimum Age for Admission to Employment, 1973 (Convention No. 138)[34] and the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (Convention No. 182)[35] of the International Labour Organization to consider doing so as a matter of priority, and encourages States to consider ratifying the Convention concerning Decent Work for Domestic Workers, 2011 (Convention No. 189);

32. *Urges* States to substantially increase efforts to achieve the goal of eliminating the worst forms of child labour by 2016, and in this regard encourages States to fully implement the Road Map for Achieving the Elimination of the Worst Forms of Child Labour by 2016, an outcome of the Hague Global Child Labour Conference;

33. *Takes note with appreciation* of the Brasilia Declaration on Child Labour, the outcome document of the third Global Conference on Child Labour, held in Brasilia from 8 to 10 October 2013, and urges States to continue to promote the engagement of all sectors of society in creating an enabling environment for the eradication of child labour;

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[33] *World report on child labour: Economic vulnerability, social protection and the fight against child labour* (Geneva, International Labour Office, 2013).

[34] United Nations, *Treaty Series*, vol. 1015, No. 14862.

[35] Ibid., vol. 2133, No. 37245.

Prevention and elimination of violence against children

34. *Condemns* all forms of violence against children, and urges all States:

(*a*) To take effective and appropriate legislative and other measures to prohibit, prevent and eliminate all forms of violence against children in all settings, and to strengthen international, national and local cooperation and mutual assistance in this regard;

(*b*) To respect fully the rights, human dignity and physical integrity of children and to prevent and address any emotional, physical or sexual violence or any other humiliating or degrading treatment or punishment;

(*c*) To give priority attention to the prevention of all forms of violence against children and to addressing its underlying causes and its gender dimension through a systematic, comprehensive and multifaceted approach, recognizing that witnessing violence, including domestic violence, also causes harm to children;

(*d*) To develop a well-coordinated and well-resourced national strategy for the prevention and elimination of all forms of violence against children, including measures aimed at, inter alia, raising awareness, building the capacity of professionals working with and for children, supporting effective parenting programmes, fostering research, collecting data on the incidence of violence against children and developing and implementing appropriate national monitoring tools to periodically assess progress;

(*e*) To protect children from all forms of violence or abuse by all those who work with and for children, including in educational settings, in alternative care and residential care settings, and in international development activities and humanitarian relief work, as well as by government officials, such as the police, law enforcement authorities, employees and officials in detention centres or welfare institutions and health-care personnel;

(*f*) To establish and develop safe, well-publicized, confidential and accessible mechanisms to enable children or their representatives to seek counselling, to report violence against children and file complaints on incidents of violence against children and to ensure that child victims of violence have access to confidential, child- and gender-sensitive health and social services and are supported in their recovery and reintegration, taking into account the joint report of the Special Rapporteur on the sale of children, child prostitution and child pornography and the Special Representative of the Secretary-General on Violence against Children[36] on this matter;

(*g*) To take measures to ensure that all those who work with and for children protect children from bullying, including from bullying through the Internet and other communications technologies, and implement preventive and anti-bullying policies in order to ensure a safe and supportive environment free from harassment and violence;

(*h*) To raise awareness of the negative effects of violence against children and to strive to change attitudes that condone or normalize any form of violence against children, including cruel, inhuman or degrading forms of discipline, treatment or punishment, harmful practices and all forms of sexual violence;

[36] A/HRC/16/56.

(*i*) To take measures to promote constructive and positive forms of discipline and child development approaches in all settings, including the home, schools and other educational settings, and throughout care and justice systems;

(*j*) To end impunity for perpetrators of crimes against children, to undertake thorough and prompt investigations of all acts of violence against children and to prosecute such acts of violence and impose appropriate penalties, recognizing that persons convicted of violent offences against children, including sexual abuse, who continue to pose a risk of harm to children should be prevented from working with children;

(*k*) To address the gender dimension of all forms of violence against children and incorporate a gender perspective in all policies adopted and actions taken to protect children against all forms of violence, acknowledging that girls and boys face varying risks from different forms of violence at different ages and in different situations, and in this context recalls the agreed conclusions adopted by the Commission on the Status of Women, including those adopted at its fifty-seventh session,[37] on the elimination and prevention of all forms of violence against women and girls;

35. *Recognizes* the contribution of the International Criminal Court in ending impunity for the most serious crimes against children, including genocide, crimes against humanity and war crimes, and calls upon States not to grant amnesties for such crimes;

36. *Encourages* all States, and requests United Nations entities, regional organizations and civil society, including non-governmental organizations, to continue to disseminate widely and follow up on the United Nations study on violence against children and the recommendations contained therein,[38] and to promote, where relevant, their mainstreaming in regional policy agendas and to further consolidate their implementation at the national level;

37. *Recognizes* the significant progress and achievements made since the establishment of the mandate of the Special Representative of the Secretary-General on Violence against Children, expresses support for her work to promote the prevention and elimination of all forms of violence against children in all regions and to advance the implementation of the recommendations in the study on violence against children, and takes note with appreciation of her global survey and thematic reports, including the report entitled "Protecting children from harmful practices in plural legal systems", and the joint report of the Special Representative, the Office of the United Nations High Commissioner for Human Rights and the United Nations Office on Drugs and Crime on prevention of and responses to violence against children within the juvenile justice system;[39]

38. *Notes with appreciation* the consolidated partnerships promoted by the Special Representative of the Secretary-General on Violence against Children, in coordination with national Governments, United Nations agencies, regional organizations, human rights bodies and mechanisms and representatives of civil society and with the participation of children, and the contribution of her regional

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[37] See *Official Records of the Economic and Social Council, 2013, Supplement No. 7* (E/2013/27), chap. I, sect. A.

[38] See A/61/299 and A/62/209.

[39] A/HRC/21/25.

and thematic consultations and field missions to advancing progress in the protection of children from violence;

39. *Encourages* all States, requests United Nations entities and agencies, and invites regional organizations and civil society, including non-governmental organizations, to cooperate with the Special Representative and to provide support, including financial support, to her for the continued effective and independent performance of her mandate, and calls upon States and institutions concerned and invites the private sector to provide voluntary contributions for that purpose;

Promoting and protecting the rights of children, including children in particularly difficult situations

40. *Calls upon* all States to prevent violations of the rights of children working and/or living on the street, including all forms of discrimination, arbitrary detention and extrajudicial, arbitrary or summary executions, torture and all kinds of violence and exploitation, and to bring the perpetrators to justice, to adopt and implement policies for the protection, social and psychosocial rehabilitation and reintegration of those children and to adopt economic, social and educational strategies to address the problems of children working and/or living on the street;

41. *Reaffirms* the right of the child to express his or her views freely in all matters affecting him or her, as well as the rights of the child to freedom of association, to freedom of expression and to freedom of peaceful assembly;

42. *Calls upon* all States to protect refugee, asylum-seeking and internally displaced children, in particular those who are unaccompanied, who are particularly exposed to violence and risks in connection with armed conflict and trafficking, and taking into account their gender-specific needs, stressing the need for States as well as the international community to continue to pay more systematic and in-depth attention to the special assistance, protection and development needs of those children through, inter alia, programmes aimed at rehabilitation and physical and psychological recovery, and to programmes for voluntary repatriation and, where appropriate and feasible, local integration and resettlement, to give priority to family tracing and family reunification and reintegration and, where appropriate, to cooperate with international humanitarian and refugee organizations, including by facilitating their work;

43. *Also calls upon* all States to ensure, for children belonging to minorities and vulnerable groups, including migrant children and indigenous children, the enjoyment of all human rights as well as access to health care, social services and education on an equal basis with others and to ensure that all such children, in particular unaccompanied migrant children and those who are victims of violence and exploitation, receive special protection and assistance;

44. *Calls upon* States to protect the human rights of migrant children, given their vulnerability, particularly unaccompanied migrant children, ensuring that the best interests of the child are a primary consideration in their policies of integration, return and family reunification;

45. *Urges* States to ensure equal access to quality education for indigenous children, particularly for indigenous girls, and to promote education systems that respect the cultures and traditions of the communities that are responsive to their needs;

46. *Reaffirms* the right of indigenous children, in community with other members of their group, to learn, enjoy and transmit their own culture, to profess

and practise their own religion or belief and to use their own language, in this regard encourages Member States to actively promote the objectives of the United Nations Declaration on the Rights of Indigenous People,[10] and looks forward to the World Conference on Indigenous Peoples, to be held in 2014;

47. *Calls upon* all States to protect, in law and in practice, the inheritance and property rights of orphans, paying particular attention to underlying gender-based discrimination, which may interfere with the fulfilment of these rights;

48. *Also calls upon* all States to respect, protect and fulfil the rights of children in emergency situations, including natural disasters, in particular their right to food, safe drinking water and sanitation, education, emergency health care, family reunification, protection and trauma relief;

Children and the administration of justice

49. *Recalls* the validity and importance of international standards and norms in the field of human rights in the administration of juvenile justice, including the Standard Minimum Rules for the Treatment of Prisoners,[40] the United Nations Guidelines for the Prevention of Juvenile Delinquency,[41] the United Nations Standard Minimum Rules for the Administration of Juvenile Justice,[42] the United Nations Rules for the Protection of Juveniles Deprived of their Liberty,[43] the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime[44] and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders,[45] and calls upon all States:

(*a*) To abolish, by law and in practice, as soon as possible, the death penalty, life imprisonment without possibility of release, emotional or physical violence or any other humiliating or degrading treatment for those under 18 years of age at the time of the commission of the offence, and invites States to consider repealing all other forms of life imprisonment for offences committed by those under 18 years of age;

(*b*) To immediately commute such sentences and to ensure that any child previously sentenced to the death penalty or life imprisonment without possibility of release is removed from special prison facilities, especially from death row, and transferred to regular institutions of detention appropriate for the age of the offender and the offence committed;

50. *Encourages* States to develop and implement a comprehensive juvenile justice policy to protect and address the needs of children in contact with the law, with a view to promoting, inter alia, crime prevention programmes, the use of alternative measures, such as diversion and restorative justice, and ensuring compliance with the principle that deprivation of liberty of children should only be used as a measure of last resort and for the shortest appropriate period of time, as well as to avoid, wherever possible, the use of pretrial detention for children;

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[40] *Human Rights: A Compilation of International Instruments*, Volume I (First Part), *Universal Instruments* (United Nations publication, Sales No. E.02.XIV.4 (Vol. I, Part 1)), sect. J, No. 34.

[41] Resolution 45/112, annex.

[42] Resolution 40/33, annex.

[43] Resolution 45/113, annex.

[44] Economic and Social Council resolution 2005/20, annex.

[45] Resolution 65/229.

51. *Urges* States to take special measures to protect children in contact with the law, including by means of the provision of adequate legal assistance, training in juvenile justice for judges, police officers, prosecutors and specialized lawyers, as well as other representatives who provide other appropriate assistance, such as social workers, the establishment of specialized courts, as appropriate, the promotion of universal birth registration and age documentation and the protection of the right of juvenile offenders to maintain contact with their families through correspondence and visits, save in exceptional circumstances;

52. *Calls upon* all States to protect children deprived of their liberty from torture and other cruel, inhuman or degrading treatment or punishment, to ensure that, if they are arrested, detained or imprisoned, children are provided with adequate legal assistance and that no child is sentenced or subjected to forced labour or emotional or physical violence or any other humiliation or degrading treatment or deprived of access to and provision of health care and services, hygiene and environmental sanitation, access to open space for recreation, education, basic instruction and vocational training, and to undertake prompt investigations of all reported acts of violence and ensure that all violators are held accountable;

53. *Urges* States to ensure that the child is assisted during all judicial proceedings by a competent adult, parent or guardian, in addition to the child's lawyer, and to ensure that the child's right to be heard in proceedings is observed;

54. *Calls upon* all States to take all the measures necessary to avoid revictimization of children victims or witnesses during all stages of judicial proceedings;

55. *Encourages* continued regional and cross-regional efforts, the sharing of best practices and the provision of technical assistance in the field of juvenile justice, and notes in this regard the initiative to convene a world congress on juvenile justice in Geneva from 26 to 30 January 2015;

Children of incarcerated parents

56. *Calls upon* all States to give attention to the impact of parental detention and imprisonment on children and, in particular:

(*a*) To give priority consideration to non-custodial measures when sentencing or deciding on pretrial measures for a child's sole or primary caretaker, subject to the need to protect the public and the child, and bearing in mind the gravity of the offence;

(*b*) To identify and promote good practices in relation to the needs and physical, emotional, social and psychological development of babies and children affected by parental detention and imprisonment;

57. *Acknowledges* that a parent's deprivation of liberty, sentencing to death or life imprisonment has a serious impact on children's development, and urges States, in the framework of their national child protection efforts, to provide the assistance and support these children may require;

Prevention and eradication of the sale of children, child prostitution and child pornography

58. *Expresses deep concern* about the persistence of the practices of the sale of children, child slavery and sexual exploitation of children in prostitution and pornography, and calls upon all States:

(*a*) To prevent, criminalize, prosecute and punish effectively all forms of the sale of children, including for the purposes of the transfer of organs of the child for profit, child slavery, commercial and domestic sexual exploitation of children, child prostitution and child pornography, with the aim of eradicating those practices and the use of the Internet and other information and communications technologies for these purposes, to combat the existence of a market that encourages such criminal practices and take measures to eliminate the demand that fosters them, as well as to address the rights of victims to effective protection and rehabilitation, to provide remedy and to take effective measures against the criminalization of children who are victims of exploitation;

(*b*) To enact and enforce necessary legislative or other measures, in cooperation with relevant stakeholders, to prevent the distribution over the Internet and in all other media of pornography that exploits children, ensuring that adequate mechanisms are in place to enable the reporting and removal of such material and that its creators, distributors and collectors are prosecuted, as appropriate;

(*c*) To ensure the prosecution and punishment of offenders, whether local or foreign, by the competent national authorities, either in the country in which the crime was committed, in the country of which the offender is a national or resident, in the country of which the victim is a national or on any other basis permitted under domestic law, and for these purposes to afford one another the greatest measure of assistance and the necessary collaboration for prevention, detection, investigations or criminal or extradition proceedings;

(*d*) To increase cooperation at all levels to prevent and dismantle networks trafficking in or selling children and their organs and, for those States that have not yet done so, to consider signing and ratifying or acceding to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime;[8]

(*e*) In cases of trafficking in children, the sale of children, child prostitution, child pornography and child sex tourism, to address effectively the needs of victims, including their safety, legal assistance and protection, physical and psychological recovery and full reintegration into society, paying particular attention to their gender-specific needs, including through bilateral and multilateral technical cooperation and financial assistance;

(*f*) To combat the existence of a market that encourages such criminal practices against children, including through the adoption, effective application and enforcement of preventive, rehabilitative and punitive measures targeting customers or individuals who sexually exploit or sexually abuse children;

(*g*) To give priority to the identification of norms and standards on the responsibilities of transnational corporations and other business enterprises, particularly those involved in information and communications technologies, related to respect for the rights of children, including the right to be protected from sexual abuse and exploitation, particularly in the virtual realm, as set out in the relevant legal instruments, and to outline basic measures to be taken for implementation;

(*h*) To mobilize public awareness, involving families and communities, with the participation of children, concerning the protection of children against all forms of sexual exploitation and abuse;

(*i*) To contribute to the prevention and elimination of the sale of children, child prostitution and child pornography by adopting a holistic approach, addressing the contributing factors, including underdevelopment, poverty, economic disparities, inequitable socioeconomic structures, dysfunctional families, lack of education, urban-rural migration, gender discrimination, criminal or irresponsible adult sexual behaviour, child sex tourism, organized crime, armed conflicts and trafficking in children;

(*j*) To take measures to eliminate the demand that fosters all forms of exploitation that leads to trafficking, including sexual exploitation and the sex tourism demand;

Children affected by armed conflict

59. *Condemns in the strongest terms* all violations and abuses committed against children in armed conflict, and in this regard urges all States and other parties to armed conflict that are engaged, in contravention of applicable international law, including humanitarian law, in the recruitment and use of children, in patterns of killing and maiming of children and/or rape and other sexual violence against children, acknowledging that sexual violence in these situations disproportionately affects girls, and in recurrent attacks on schools and/or hospitals and related personnel, as well as in all other violations and abuses against children, to take time-bound and effective measures to end them;

60. *Recalls*, in accordance with international humanitarian law, that indiscriminate attacks against civilians, including children, are prohibited and that they shall not be the object of attack, including by way of reprisal or excessive use of force, condemns such practices resulting in the killing and maiming of children, and demands that all parties immediately put an end to such attacks;

61. *Urges* States, United Nations agencies, funds and programmes, other relevant international and regional organizations and civil society to give serious attention to, and protect and assist child victims of, all violations and abuses committed against children in situations of armed conflict, in accordance with international humanitarian law, including the First to Fourth Geneva Conventions;[46]

62. *Calls upon* all States, relevant United Nations bodies and agencies and regional organizations to mainstream the rights of the child into all activities in armed conflict and post-conflict situations and to ensure adequate child protection training of their staff and personnel;

63. *Calls upon* States:

(*a*) When ratifying the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, to raise the minimum age for voluntary recruitment of persons into the national armed forces from that set out in article 38, paragraph 3, of the Convention, bearing in mind that, under the Convention, persons under 18 years of age are entitled to special protection, and to adopt safeguards to ensure that such recruitment is not forced or coerced;

[46] United Nations, *Treaty Series*, vol. 75, Nos. 970–973

(*b*) To take all feasible measures to ensure the demobilization and effective disarmament of children used in armed conflicts and to implement effective measures for their rehabilitation, physical and psychological recovery and reintegration into society, in particular through educational measures, taking into account the rights and the specific needs and capacities of girls, and calls upon States and regional organizations to include commitments in this regard in peace agreements;

(*c*) To ensure timely and adequate funding for national disarmament, demobilization and reintegration programmes for children and for settlement, rehabilitation and reintegration efforts for all children associated with armed forces and groups, including detained children, particularly in support of national initiatives, and to secure the long-term sustainability of such efforts, including through the use of a multisectoral and community-based approach that is inclusive of all children, family-based care arrangements, as also highlighted in the Principles and Guidelines on Children Associated with Armed Forces or Armed Groups (the Paris Principles),[47] and the mobilization of financial resources and technical assistance from international cooperation for rehabilitation and reintegration programmes for children;

(*d*) To undertake measures to ensure that children in situations of armed conflict enjoy all the rights enshrined in relevant international instruments and that national authorities, with the support of the international community, as appropriate, take steps to ensure access to and the delivery of basic services necessary for the survival of children in different areas, including health, nutrition, water, sanitation and psychosocial recovery, ensuring continuous access to education for children affected by armed conflict, and to encourage the Special Representative of the Secretary-General for Children and Armed Conflict to further raise attention and mobilize international support to address the plight of these children;

(*e*) To protect children affected by armed conflict, in particular from violations of international humanitarian law and human rights law, and to ensure that they receive timely, effective humanitarian assistance, noting the efforts taken to end impunity by ensuring accountability and punishing perpetrators, and calls upon the international community to hold those responsible for violations accountable, inter alia, through the International Criminal Court;

(*f*) To take all feasible measures, in accordance with international humanitarian law and human rights law, as a matter of priority, to prevent the recruitment and use of children by armed groups, as distinct from the armed forces of a State, including the adoption of policies that do not tolerate such practices and legal measures necessary to prohibit and criminalize them;

(*g*) To support relevant existing internationally agreed mechanisms established to address the issue of children in armed conflict that contribute to the roles, responsibilities and capacities of national Governments in this field;

64. *Calls upon* all States and relevant United Nations bodies to continue to support, as appropriate, national and international mine action efforts, including with regard to cluster munitions and other unexploded ordnance, and further calls upon States, regional and subregional organizations and non-governmental actors to

[47] Available from www.unicef.org.

minimize the impact of explosive weapons on civilians, including children, and to offer assistance to victims of mines;

65. *Condemns in the strongest terms* rape and other forms of sexual violence committed against children in armed conflict, expresses deep concern at mass and systematic rape and sexual violence committed against children in armed conflict, in some instances calculated to humiliate, dominate, instil fear and disperse and/or forcibly relocate a population, calls upon all States and relevant United Nations bodies and agencies and regional organizations to address this issue, as well as the issue of sexual exploitation and abuse of children in United Nations peacekeeping operations, and urges States to adopt appropriate national legislation to prevent such crimes and to ensure their rigorous investigation and prosecution;

66. *Reaffirms* the essential roles of the General Assembly, the Economic and Social Council and the Human Rights Council for the promotion and protection of the rights and welfare of children, including children affected by armed conflict, notes the increasing role played by the Security Council in ensuring protection for children affected by armed conflict, and also notes the activities undertaken by the Peacebuilding Commission in areas that promote and contribute to the enjoyment of the rights and welfare of children;

67. *Notes with appreciation* the steps taken regarding Security Council resolutions 1539 (2004) of 22 April 2004, 1612 (2005) of 26 July 2005, 1882 (2009) of 4 August 2009, 1998 (2011) of 12 July 2011 and 2068 (2012) of 19 September 2012, and the efforts of the Secretary-General to implement the monitoring and reporting mechanism on children and armed conflict in accordance with those resolutions, with the participation of and in cooperation with national Governments and relevant United Nations and civil society actors, including at the country level, requests the Secretary-General to ensure that information collected and communicated by the monitoring and reporting mechanism is accurate, objective and verifiable, and in this regard encourages the work and the deployment of United Nations child protection advisers in peacekeeping operations and political and peacebuilding missions;

68. *Welcomes* the work of the Special Representative of the Secretary-General for Children and Armed Conflict, and recognizes the increased level of activity of her office and the progress achieved since the establishment of the mandate of the Special Representative;

69. *Takes note with appreciation* of the report of the Special Representative[25] and of the significant developments and achievements in the protection of children in armed conflict at the national and international levels, and emphasizes the contribution of the field visits conducted by the Special Representative with the consent of the State concerned in situations of armed conflict as an important element in the implementation of her mandate;

70. *Recalls* that all parties bear the primary responsibility for the protection of children, recalls the obligations to refrain from attacking schools in violation of international humanitarian law and to take all feasible precautionary measures to protect civilians from such attacks, in particular schoolchildren, and urges States to avoid using schools for military purposes and to ensure safe and continuous access to education in times of conflict;

III

Follow-up

71. *Decides*:

(*a*) To request the Secretary-General to submit to the General Assembly at its sixty-ninth session a report on the rights of the child containing information on the status of the Convention on the Rights of the Child and the issues addressed in the present resolution, with a focus on progress achieved and challenges in protecting children from discrimination and overcoming inequalities, in the light of the twenty-fifth anniversary of the adoption of the Convention on the Rights of the Child;

(*b*) To request the Special Representative of the Secretary-General for Children and Armed Conflict to continue to submit reports to the General Assembly and the Human Rights Council on the activities undertaken in discharging her mandate, including information on her field visits and on the progress achieved and the challenges remaining on the children and armed conflict agenda;

(*c*) To request the Special Representative of the Secretary-General on Violence against Children to continue to submit annual reports to the General Assembly and the Human Rights Council on the activities undertaken in the fulfilment of her mandate, including information on her field visits and on the progress achieved and the challenges remaining on the violence against children agenda, and, in accordance with paragraph 48 of its resolution 67/152, to ensure that the effective performance and the sustainability of the core activities of the mandate of the Special Representative are maintained;

(*d*) To request the Special Rapporteur on the sale of children, child prostitution and child pornography to continue to submit reports to the General Assembly and the Human Rights Council on the activities undertaken in the fulfilment of her mandate, including information on her field visits and on the progress achieved and the challenges remaining on the sale of children, child prostitution and child pornography agenda;

(*e*) To invite the Chair of the Committee on the Rights of the Child to present an oral report on the work of the Committee to the General Assembly at its sixty-ninth session as a way to enhance communication between the Assembly and the Committee;

(*f*) To continue its consideration of the question at its sixty-ninth session under the item entitled "Promotion and protection of the rights of children", focusing section III of the resolution entitled "The rights of the child" on the theme "Progress achieved and challenges in protecting children from discrimination and overcoming inequalities in the light of the twenty-fifth anniversary of the Convention on the Rights of the Child".

70th plenary meeting
18 December 2013